

IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL
WRIT PETITION NO. 443 (SS) OF 2006

Radhe Shyam Gupta,
S/o late Sri Ram Narayn Gupta,
R/o Village & Post Office Tarighat,
District- Ghazipur, U.P. at present residing at Surak Kund,
Begeshwar, presently posted as Junior Engineer,
Construction Division, Uttaranchal Pay Jal Nigam,
Begeshwar Petitioner.

Versus

1. Managing Director, Uttaranchal Pey Jal Nigam,
Dehradun.
2. Chief Engineer (Kumaun) Uttaranchal Pey Jal Nigam,
Nainital.
3. Executive Engineer, Construction Division, Uttaranchal
Pey Jal Nigam, Bageshwar, District-Bageshwar,
4. U.P. Jal Nigam, through its Managing Director, 6, Rana
Pratap Marg, Lucknow, U.P. Respondents.

Sri S.S. Chauhan, Advocate for the petitioner.
Sri Sudhir Singh, Advocate for the respondent no. 4.
Sri D.S. Patni, Advocate for the respondents no. 1, 2 and 3.

Dated: 29.03.2006

Hon'ble Rajesh Tandon, J.

Both the parties have agreed that let the matter be finally disposed of at the admission stage.

2. By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondents no. 1 and 2 to allocate the petitioner under Uttaranchal Pey Jal Nigam with all consequential benefits.

3. Briefly stated, the petitioner was initially appointed as a Junior Engineer on 16th October, 1998 and at present he is posted at Construction Division, Uttaranchal Pey Jal Nigam, Begeshwar.

4. The short submission of the petitioner is that in view of the notification dated 29.10.2005(Annexure No. 10) and the decision of the Uttaranchal Pey Jal Nigam dated 28.12.2005 (Annexure No. 13), the representation dated 20.03.2006 (Annexure 11 to the writ petition) filed by the petitioner be considered accordingly.

5. However, without going into the merit of the controversy, the respondents are directed to consider the representation of the petitioner in the light of the two government orders. However, the status quo shall be maintained till the disposal of the representation. The respondents shall also decide the final allocation in the light of the two government orders filed as Annexure No. 29.10.2005 and 28.12.2005.

6. Writ petition is disposed of accordingly. No order as to costs.

(Rajesh Tandon, J.)

29.03.2006

Rathour